

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE APRIL 8, 2013

**SENATE BILL**

**No. 134**

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**Introduced by Senator Hueso**

January 28, 2013

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An act to amend Section 18926.5 of, and to add Section 18926.6 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 134, as amended, Hueso. CalFresh eligibility.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. That program, as administered in California, is known as CalFresh. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law establishes eligibility and benefit level requirements for receipt of CalFresh benefits.

Existing law authorizes counties to participate in the CalFresh Employment and Training (CalFresh E&T) program, established by federal law with the purpose of assisting members of CalFresh households to obtain regular employment, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be deferred from, the CalFresh E&T program. Existing law requires deferral for specified groups, including people under 16 years of age or over 60 years of age.

This bill would require participating counties to defer from the CalFresh E&T program a person who is a veteran who has been honorably discharged from the United States Armed Forces. The bill would require, in a county that elects to participate in the program, that a veteran applying for CalFresh benefits who is required to register to work, but who is exempt from mandatory placement in the CalFresh E&T program, be provided with a referral to *the local county veterans service office and a referral to local veterans' assistance and job training agencies, if those agencies are known to the county*, and given the opportunity to participate as a volunteer in the CalFresh E&T program.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. It is the intent of the Legislature in enacting this  
2     act to limit barriers to food assistance for low-income veterans and  
3     their families and to increase referrals to veteran-oriented job  
4     training programs. It is further the intent of the Legislature to work  
5     with the federal government to remove barriers to food assistance  
6     for military families.

7     SEC. 2. Section 18926.5 of the Welfare and Institutions Code  
8     is amended to read:

9     18926.5. (a) For the purposes of this chapter, "CalFresh  
10    Employment and Training program" or "CalFresh E&T" means  
11    the program established under Section 6(d)(4)(B) of the federal  
12    Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), Section  
13    273.7 of Title 7 of the Code of Federal Regulations, and associated  
14    administrative notices published by the United States Department  
15    of Agriculture with the purpose of assisting members of CalFresh  
16    households in gaining skills, training, work, or experience that will  
17    increase their ability to obtain regular employment.

18    (b) (1) A county that elects to participate in the CalFresh  
19    Employment and Training (CalFresh E&T) program, as authorized  
20    by the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015),  
21    shall screen CalFresh work registrants to determine whether they  
22    will participate in, or be deferred from, the CalFresh E&T program.  
23    If deferred, a CalFresh work registrant may request to enroll in the  
24    CalFresh E&T program as a voluntary participant. An individual  
25    shall be deferred from a mandatory placement in the CalFresh

1 E&T program if he or she satisfies any of the criteria in Sections  
2 273.7 and 273.24 of Title 7 of the Code of Federal Regulations, if  
3 he or she resides in a federally determined work surplus area, or  
4 if he or she is a veteran who has been honorably discharged from  
5 the United States Armed Forces.

6 (2) For purposes of this section, “deferred” has the same  
7 meaning as exempt.

8 (c) (1) A county that elects to participate in the CalFresh E&T  
9 program shall be required to demonstrate in its CalFresh E&T plan  
10 how it is effectively using CalFresh E&T funds for each of the  
11 components that the county offers, including, but not limited to,  
12 any of the following:

13 (A) Self-initiated workfare.

14 (B) Work experience or training.

15 (C) Education.

16 (D) Job search.

17 (E) The support services or client reimbursements needed to  
18 participate in subparagraphs (A) to (D), inclusive, as allowed by  
19 federal law and guidance.

20 (2) Nothing in this section shall be construed to require a county  
21 to offer a particular component as a part of its CalFresh E&T plan.

22 (d) Nothing in this section shall limit a county’s ability to  
23 condition the receipt of nonmedical benefits under Section 17000  
24 on an individual’s participation in an employment and training or  
25 workfare program of the county’s choice, even if that program is  
26 financed in whole or in part with CalFresh E&T funds or match  
27 funds.

28 (e) Nothing in this section shall restrict the use of federal funds  
29 for the financing of CalFresh E&T programs.

30 (f) Nothing in this section shall be construed to require a county  
31 to provide for workers’ compensation coverage for a CalFresh  
32 E&T participant. Notwithstanding Division 4 (commencing with  
33 Section 3200) of the Labor Code, a CalFresh E&T participant shall  
34 not be an employee for the purposes of workers’ compensation  
35 coverage and a county shall have no duty to provide workers’  
36 compensation coverage for a CalFresh E&T participant.

37 (g) Notwithstanding the rulemaking provisions of the  
38 Administrative Procedure Act (Chapter 3.5 (commencing with  
39 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
40 Code), the department may implement this section by all-county

1 letters or similar instructions. Thereafter, the department shall  
2 adopt regulations to implement this section by October 1, 2013.

3 SEC. 3. Section 18926.6 is added to the Welfare and  
4 Institutions Code, to read:

5 18926.6. In a county that elects to participate in the CalFresh  
6 E&T program, a veteran applying for CalFresh benefits who is  
7 required to register to work, but who is exempt from mandatory  
8 placement in the CalFresh E&T program pursuant to Section  
9 18926.5, *shall be given the opportunity to participate as a volunteer*  
10 *in the CalFresh E&T program, and shall be provided with a*  
11 *referral to the local county veterans service office and a referral*  
12 *to veterans' assistance and job training agencies* ~~and be given the~~  
13 ~~opportunity to participate as a volunteer in the CalFresh E&T~~  
14 ~~program, if those veterans' assistance and job training agencies~~  
15 *are known to the county.*